

Notice of Allowability

Application No.

09/604,939

Applicant(s)

DEMELLO ET AL.

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/25/2006.
2. ☒ The allowed claim(s) is/are 14-28 and 37-44 now renumbered as claims 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c). The post office address for inventor Pavel Zeman was altered but was not dated and initialed and the citizenship for inventor Vinay Krishnaswamy was altered and initialed but not dated.

2. Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth in this communication. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not expressly teach or render obvious the invention as recited in independent claims 14, 21 and 37.

The prior art teaches a system for providing a content item [col. 4, lines 60 – 67 of Basani], the system comprising: a plurality of download servers [col. 8, lines 20 – 36 of Basani], each download server receives a request for the content item [col. 8, lines 20 – 37 of Basani], each of the download servers having: a cache [col. 20, lines 35 – 52 of Basani] and a first object [col. 8, lines 20 – 38 of Basani] which receives a first message to invalidate the content item in the cache [col. 20, lines 35 – 52 of Basani] and which invalidates the content item in the cache [paragraph (0070), p. 8 of Vange] in response to receipt of the first message [col. 37 – 54 of Basani]; and a fulfillment server [col. 8, lines 20 – 38 of Basani] having a content store which stores the content item [col. 8, lines 45 – 60 of Basani]; and a first database [col. 9, lines 45 – 54 of Basani]; and a second object that receives a notification that the information in the first database has been updated or deleted [col. 9, lines 13 – 45 of Basani], and generates the first message for dispatch to the plurality of download servers [col. 20, lines 35 – 52 of Basani], and a request comprising encrypted data that represents a public key [col. 10, lines 9 – 30 of En-Seung] associated with a user and identification of the content item [col. 6, lines 18 – 30 of En-Seung]. However, the prior art does not teach a request comprising a public key associated with a user and an identification of the content item, the public key and the identification being in a form encrypted by a first key that is known to each of the plurality of servers and to a first server at which the request is generated but that is not known to the user [see p. 2, line 24 – p. 4, line 16 of applicant's response submitted 05/25/2006].

In addition, the prior art of record does not provide a basis of evidence for asserting a motivation that one of ordinary skill level in the art at the time the invention was made would have integrated or modified the system for providing content with a public key associated with a user and an identification of the content item, the public key and the identification being in a form encrypted by a first key that is known to each of the plurality of servers and to a first server at which the request is generated but that is not known to the user as recited in the context of independent claims 14, 21 and 37.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONTACT INFORMATION

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2194

LBZ



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